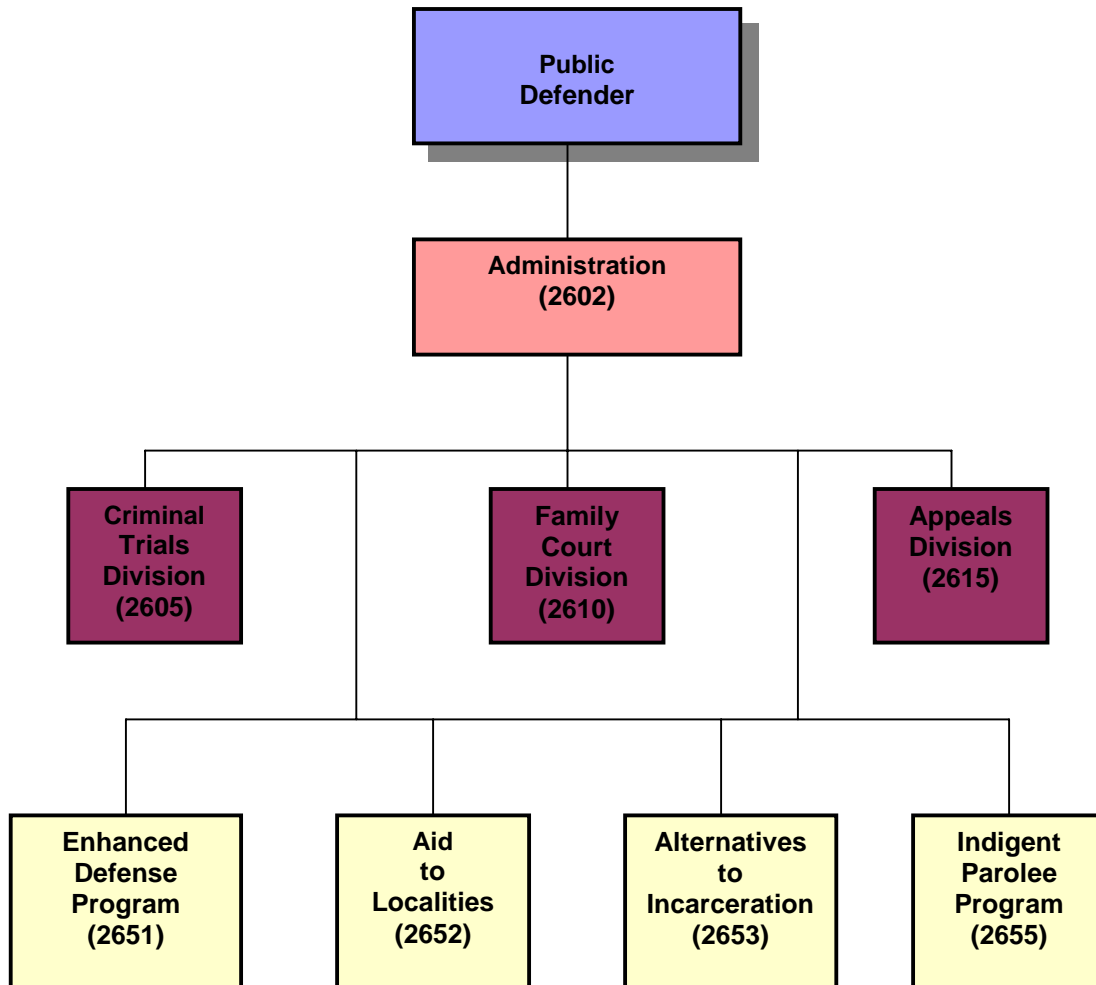
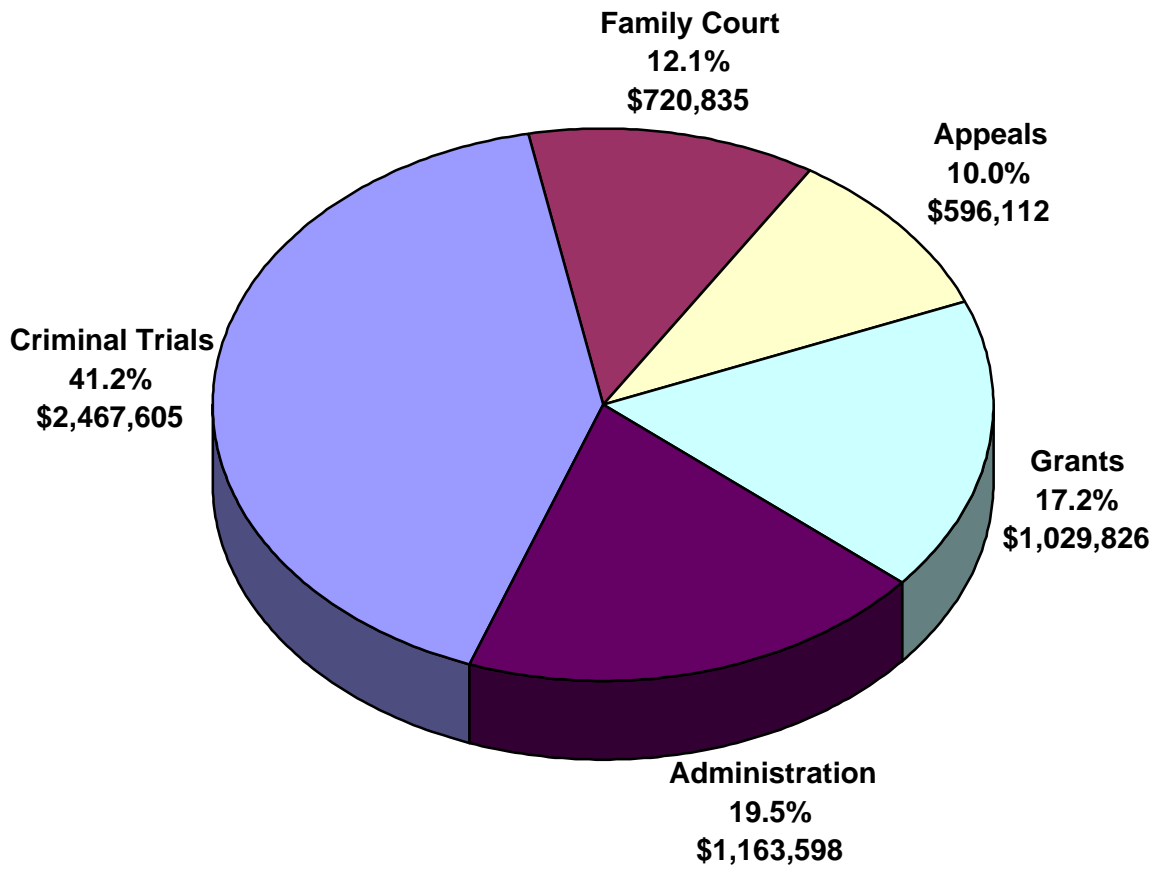


PUBLIC DEFENDER (026)

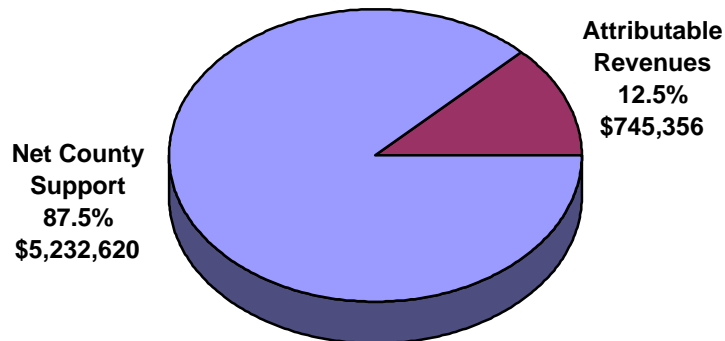


PUBLIC DEFENDER

2003 Budget - \$5,977,976



Net County Support



DEPARTMENT: Office of Public Defender (026)

DEPARTMENT DESCRIPTION

The Public Defender is appointed by the County Legislature for a two-year term. The Public Defender's Office represents indigent individuals in criminal court proceedings, Family Court, and Surrogate Court. Services are mandated by state and federal law, but are subject to some county control. The Public Defender heads a professional staff which includes attorneys and support staff.

STRATEGIC FRAMEWORK

Mission

In compliance with federal and state constitutions, the Monroe County Public Defender's Office is a legal service component of Monroe County Government which: provides quality legal representation to its clients; advocates for the protection of the constitutional rights of its clients; contributes to the efficient and effective operation of the criminal justice system in Monroe County; advocates and works toward achieving results that have the greatest likelihood to help rehabilitate clients and prevent their committing new crimes; and creates a work environment that supports the empowerment and teamwork of its employees.

Key Result Areas

Customer Satisfaction: The legal service needs of our clients are met. Our clients have confidence and trust in our staff and the manner in which we deliver our services.

Productive Workforce: Our workforce strives to achieve maximum productivity and is properly trained and empowered to deliver the needed services to our clients.

Quality Services: We provide legal, and when appropriate, human services that are responsive to our clients needs and which reflect thorough preparation and presentation of both the legal and factual aspects of a client's case.

Quality of Life: We enhance the efficiency and effectiveness of this community's criminal justice system by providing quality legal defense services to the poor.

Fiscal Responsibility: We utilize our scarce resources effectively and efficiently to promote Monroe County's fiscal responsibility.

Key Result Measures

Customer Satisfaction: Clients satisfied with the services they receive. Clients satisfied with our responsiveness.

Productive Workforce: Employees satisfied with their work environment. Employees fully trained in office computer applications. Number of employees who received quality management training.

Quality Services: Reviews performed by criminal justice system personnel. Cases meeting National Legal Aid and Defenders Association (NLADA) performance guidelines. Establishment of caseload per attorney ratio vis a vis NLADA standards.

Quality of Life: Clients who successfully completed alternative programs and did not commit further crimes. Team efforts developed with other public safety sector departments and other justice agencies. Reviews performed by justice system personnel.

Fiscal Responsibility: Actual expenses compared to budgeted appropriations.

2002 Major Accomplishments

- Automated data entry of Rochester City Court arraignment docket into the New York State Defender's Association Public Defense Case Management System
- Installed existing office copiers as LAN devices
- Appeals cases were perfected within an average of 18 months
- Provided legal representation to nearly 20,000 clients

2003 Major Objectives

- Continue to pursue automation of work processes and enhancements to case management systems
- Continue to work toward achieving an acceptable level of appellate case processing of between 12 and 14 months
- Maintain appropriate case processing time lines thereby minimizing the number of cases that go beyond standards and goals

BUDGET SUMMARY

| | Amended Budget 2002 | Budget 2003 |
|--|------------------------------------|------------------------|
| <u>Appropriations by Division</u> | | |
| Administration | 1,169,198 | 1,163,598 |
| Criminal Trials | 2,646,279 | 2,467,605 |
| Family Court | 744,530 | 720,835 |
| Appeals | 664,869 | 596,112 |
| Differentiated Case Management | 227,069 | 249,428 |
| Aid to Localities | 442,794 | 529,895 |
| Alternatives to Incarceration | 24,728 | 117,989 |
| Indigent Parolee Program | 110,000 | 132,514 |
| Total | 6,029,467 | 5,977,976 |
| <u>Appropriations by Object</u> | | |
| Personal Services | 4,343,932 | 4,191,293 |
| Expenses | 505,243 | 470,325 |
| Supplies and Materials | 34,376 | 22,025 |
| Employee Benefits | 914,135 | 1,056,909 |
| Interfund Transfers | 231,781 | 237,424 |
| Total | 6,029,467 | 5,977,976 |
| <u>Revenue</u> | | |
| State Aid | 731,947 | 720,356 |
| 722-D Contributions | 25,000 | 25,000 |
| Total | 756,947 | 745,356 |
| <u>Net County Support</u> | 5,272,520 | 5,232,620 |

GRANT SUMMARY

| | Amended Budget 2002 | Budget 2003 |
|--------------------------------|------------------------------------|------------------------|
| <u>Total Department</u> | | |
| Appropriations | 6,029,467 | 5,977,976 |
| Revenue | 756,947 | 745,356 |
| Net County Support | 5,272,520 | 5,232,620 |
| <u>Grants</u> | | |
| Appropriations | 804,591 | 1,029,826 |
| Revenue | 731,947 | 720,356 |
| Net County Support * | 72,644 | 309,470 |
| <u>Tax Impact</u> | | |
| Appropriations * | 5,297,520 | 5,257,620 |
| Revenue | 25,000 | 25,000 |
| Net County Support | 5,272,520 | 5,232,620 |

* The Net County Support of the **Grants** amount is the required county match and is included in the **Tax Impact** Appropriations amount. Displaying the grant activity separately has no effect on the **Tax Impact** Net County Support.

BUDGET HIGHLIGHTS

*Decreases in **Personal Services, Expenses and Supplies and Materials** are consistent with the county's cost reduction strategies. **Employee Benefits** increase reflects higher employee medical coverage and retirement expenses.*

*Overall **State Aid** Revenue decreases, resulting from a slight decrease in the Indigent Parolee Program combined with a moderate increase in Alternatives to Incarceration.*

DIVISION DESCRIPTIONS**2002****2003****Administration (2602)****\$1,169,198****\$1,163,598**

The Public Defender, with the support of an administrative staff, develops policy alternatives and operating procedures, and provides direction, coordination and planning for all department activities. Specific administrative tasks include payroll, personnel, and budget functions. Except for several grant positions, the entire secretarial staff of the Public Defender's Office is included within the Administration division.

Criminal Trials (2605)**\$2,646,279****\$2,467,605**

This division defends persons who are charged with crimes but cannot afford private counsel. Clients are represented at arraignments, preliminary hearings, trials and other court proceedings. Specific activities include: the processing of bail applications, the investigation of cases (interviews with defendants, witnesses and victims), and the preparation of motions and supporting legal memoranda.

Family Court (2610)**\$744,530****\$720,835**

This division represents indigent persons in all phases of Family Court proceedings as required by Section 262 of the Family Court Act. When appropriate, clients are referred to various agencies for counseling and other services.

Appeals (2615)**\$664,869****\$596,112**

The Appeals division represents indigent persons who appeal the judgments, dispositions, or orders of the Trial Court, Family Court or Surrogate Court. Attorneys assigned to this division prepare the legal briefs which are necessary to perfect a case on appeal.

Enhanced Defense Program (2651)**\$227,069****\$249,428**

This program has enabled the department to hire additional attorneys and support staff to better represent the increasing caseload of drug arrests in Monroe County. Federal Anti-Drug Abuse block grant funding is distributed to certain localities by the State of New York. The county provides approximately 60% of program costs.

Aid to Localities (2652)**\$442,794****\$529,895**

The state provides funding for attorneys and support staff in the Public Defender's Office through the Aid to Localities Program. Specific activities include researching cases, preparing briefs, motions, and other elements of cases, and representing clients at arraignments, preliminary hearings, trials and all other court proceedings. This division is 85% state funded.

Alternatives to Incarceration (2653)**\$24,728****\$117,989**

This organization reflects the integration of work into the public defense function and is directly supervised by the Public Defender. This division is 35% state funded.

Indigent Parolee Program (2655)**\$110,000****\$132,514**

The state provides funding for two attorneys who provide state mandated legal representation of individuals accused of violating the terms and conditions of parole. This division is 65% state funded.

Performance Measures

| | Actual 2001 | Est. 2002 | Est. 2003 |
|--------------------------------------|------------------------|----------------------|----------------------|
| Criminal Trials Division | | | |
| New Cases | 20,000 | 21,184 | 20,825 |
| Felony | 3,496 | 3,470 | 3,400 |
| Misdemeanor | 11,133 | 11,590 | 11,600 |
| Violations | 3,233 | 3,678 | 3,500 |
| Probation Violations | 1,362 | 1,486 | 1,400 |
| Fugitive Warrants | 24 | 90 | 70 |
| Sex Offender Classification Hearings | 14 | 45 | 30 |
| Parole Assignments | 738 | 825 | 825 |
| Trials | 194 | 196 | 190 |
| Felony | 63 | 58 | 60 |
| Misdemeanor | 112 | 128 | 115 |
| Violations | 19 | 10 | 15 |
| Parole Violation Hearings | 681 | 675 | 675 |
| Parole Cases Closed | 597 | 800 | 800 |
| Family Court Division | | | |
| New Cases | 2,273 | 2,400 | 2,500 |
| Closed Cases | 1,997 | 1,700 | 2,000 |
| Appeals Division | | | |
| New Cases | 125 | 230 | 200 |
| Appeals Assigned | 125 | 230 | 200 |
| Appeals Pending | 215 | 322 | 292 |
| Briefs Filed | 199 | 170 | 200 |
| Appeals Closed | 217 | 215 | 230 |

STAFF

| <u>Total</u> | <u>Title</u> | <u>Group</u> |
|---------------------|---|---------------------|
| | Full Time | |
| 1 | Public Defender | 26 |
| 1 | First Assistant Public Defender | 23 |
| 1 | Second Assistant Public Defender | 22 |
| 7 | Special Assistant to Public Defender | 21 |
| 1 | Special Assistant to Public Defender-Appeals | 21 |
| 13 | Public Defender Assistant Grade 1 | 19 |
| 32 | Public Defender Assistant Grade 2 | 17 |
| 1 | Confidential Assistant to the Public Defender | 16 |
| 1 | Chief Investigator | 14 |
| 2 | Alternatives to Incarceration Worker | 12 |
| 1 | Executive Secretary to the Public Defender | 12 |
| 4 | Special Urban Investigator | 12 |
| 1 | Special Urban Investigator-Bilingual | 12 |
| 5 | Special Urban Investigative Assistant | 10 |
| 1 | Confidential Secretary, Division Heads | 10 |
| 7 | Legal Secretary II | 8 |
| 2 | Receptionist-Bilingual | 5 |
| <hr/> 81 | Total Full Time | |
| 81 | Total 2003 | |